

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 2:22-CV-05664-AB

Date: August 24, 2022

Title: *In Re Edward J. Herzstock*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian
Deputy Clerk

N/A
Court Reporter

Attorneys Present for Plaintiffs:

None Appearing

Attorneys Present for Defendants:

None Appearing

Proceedings: [In Chambers] ORDER TO SHOW CAUSE

On August 11, 2022, Appellant Edward J. Herzstock filed a Notice of Appeal and Statement of Election. (*See* ECF No. 1.) In the Notice of Appeal and Statement of Election, Appellant states that he is appealing the “Judgement [*sic*] for dischargeability [*sic*] of debt” that was entered on July 20, 2022. (*Id.* at ¶¶ 1-2.)

On August 16, 2022, the Court Clerk issued a Notice of Document Discrepancy regarding the Notice of Appeal and Statement of Election. (*See* ECF No. 4.) Pursuant to the Notice of Document Discrepancy, the Notice of Appeal and Statement of Election “does not include the title of order, judgment, or decree forwarded to” this Court. (*Id.*)

On August 18, 2022, the Bankruptcy Court issued a Notice of Appeal Deficiency on the basis that: (1) the Notice of Appeal filing fee was not paid; (2) the Notice of Appeal did not conform substantially with the Notice of Appeal and Statement of Election because it did not include the names, addresses, or telephone numbers of the opposing parties; and (3) a stamped copy of the entered order, judgment, or decree was not included with the Notice of Appeal and Statement of Election. (*See* ECF No. 7.)

Accordingly, Appellant is Ordered to Show Cause no later than **September 6, 2022**, why the appeal should not be dismissed for these deficiencies. The Court may consider Appellant's filing of the missing fees and an Amended Notice of Appeal and Statement of Election addressing the deficiencies above, along with a declaration of good cause for the delay, sufficient response to the Order to Show Cause.

Appellant's failure to timely respond to the Order to Show Cause may result in sanctions, including terminating sanctions.

IT IS SO ORDERED.